

**EXHIBIT B**

**ELD Capital LLP Amended Proof of Claim and Original Proof of Claim**

**Amended Proof of Claim**

## United States Bankruptcy Court, District of Delaware

## Modified Official Form 410

## Customer Proof of Claim Form

04/22

IF YOU WISH TO FILE THIS PROOF OF CLAIM ELECTRONICALLY, THE ELECTRIC FORM IS AVAILABLE AT

<https://restructuring.ra.kroll.com/ftx/EPOC-Index>. The link also contains other important information about this proof of claim form, such as the definition of capitalized terms.

Proofs of Claim must be filed in ENGLISH.

Any claim, whether valid or not, will be categorized as "Unverified" as described in the Bar Date Order [D.I. #] if the Creditor does not provide Know Your Customer ("KYC") documentation. To upload KYC information, visit the Debtors' Customer Claims Portal, available at: <https://claims.ftx.com>.

Read the instructions before filling out this form. This form is for making a customer claim against the Debtors at the FTX Exchanges. **Do not** use this form to assert any other pre-petition claims. **Do not** use this form to make a request for payment of an administrative expense.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim. **Do not send original documents**; they will not be returned and may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Claimants do not need to file separate proofs of claim against each Debtor on account of the same Customer Entitlement Claim.

Please complete Part 2, Box 8 for any claims arising out of or related to any other investment or trading activities on any FTX Exchange.

This claim form should not be used to assert claims against Emergent Fidelity Technologies Ltd.

Fill in all the information about the claim as of November 11, 2022 unless your claim is against West Realm Shires Inc., in which case information about the claim is as of November 14, 2022 (as applicable, the "Petition Date").

## Part 1: Identify the Claim

1. Who is the current creditor?	ELD Capital LLC <small>Name of the current creditor (the person or entity to be paid for this claim)</small>  Other names the creditor used with the debtor (if any) _____  FTX customer account number: _____  Email Address(es) Used for each FTX Account: _____	
2. Has this claim been acquired from someone else?	<input type="checkbox"/> No <input type="checkbox"/> Yes. From whom? (name, account email and account identification number) _____	
3. Where should notices and payments to the creditor be sent?  <small>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</small>	<b>Where should notices to the creditor be sent?</b>  James E. Miller, Esq. <small>Name</small> 65 Main Street <small>Number Street</small> Chester CT 06412 <small>City State ZIP Code</small>  Country (If outside of the US) _____  Contact phone 866-540-5505 Contact email jemiller@millershah.com	<b>Where should payments to the creditor be sent? (if different)</b>  James E. Miller, Esq. <small>Name</small> 65 Main Street <small>Number Street</small> Chester CT 06412 <small>City State ZIP Code</small>  Country (If outside of the US) _____  Contact phone 866-540-5505 Contact email jemiller@millershah.com
4. Does this claim amend one already filed?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) 91933 <div style="text-align: right;">Filed on 02/ 25/2024 <small>MM / DD / YYYY</small></div>	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

**Part 2: Provide Information About the Customer Claim as of the Date the Case was Filed (as of November 11, 2022). Please identify the FTX Exchange with respect to where the below cryptocurrency and fiat in Question 7 is held. If you have accounts at more than one FTX Exchange, please file one proof of claim per FTX Exchange. Each such Customer Entitlement Claim pursuant to Question 7 below shall be deemed to have been filed as an identical Customer Entitlement Claim in the same amount against all other Debtors. Accordingly, you do not need to file separate proofs of claim against each Debtor for your Customer Entitlement Claim (Question 7). Please see Question 8 for additional instructions for asserting claims related to Other Trading Activity.**

<input checked="" type="checkbox"/> FTX Trading Ltd. (d/b/a "FTX") (Case No. 22-11068)	<input type="checkbox"/> FTX EU Ltd. (f/k/a KDNA Financial Services Ltd. d/b/a "FTX EU") (Case No. 22-11166)	<input type="checkbox"/> FTX Japan K.K. (aka "FTX Japan") (Case No. 22-11102)
<input type="checkbox"/> Quoine Pte Ltd (d/b/a "Liquid Global") (Case No. 22-11161)	<input type="checkbox"/> West Realm Shires Services Inc. (d/b/a "FTX US") (Case No. 22-11071)	

6. Did you participate in the FTX Earn program (available via Blockfolio app) as of the petition date? ☐ No ☐ Yes

7. List the quantity of each type of cryptocurrency ("Crypto") or fiat currency ("Fiat") held in your account(s) as of November 11, 2022. List any Non-Fungible Tokens ("NFTs") held in your account (s) along with the unique identification code.

If your Crypto or Fiat were part of the peer-to-peer ("P2P") margin lending program, then please populate the Loaned Quantity column.

Fiat Currency (Currency Code) Exchange Rate	Total Asserted Quantity of Crypto or Fiat (local currency)	Total Asserted Quantity of Crypto or Fiat (converted to USD)	Loaned Quantity of Crypto or Fiat (converted to USD)
<i>Fiat – exchange rates are LOCAL CURRENCY/USD</i>			
US Dollar (USD) USD/USD = 1.00000	308801.011562231		
Argentinian Peso (ARS) ARS/USD = 0.006236			
Australian Dollar (AUD) AUD/USD = 0.661900			
Brazilian Real (BRL) BRL/USD = 0.187100			
British Pound Sterling (GBP) GBP/USD = 1.169200			
Canadian Dollar (CAD) CAD/USD = 0.750600			
Euro (EUR) EUR/USD = 1.021000			
Ghanaian cedi (GHS) GHS/USD = 0.069324			
Hong Kong Dollar (HKD) HKD/USD = 0.127500			
Japanese Yen (JPY) JPY/USD = 0.007093			
Mexican Peso (MXN) MXN/USD = 0.051767			
Singapore Dollar (SGD) SGD/USD = 0.723500			
Swiss Franc (CHF) CHF/USD = 1.038000			
Turkish Lira (TRY) TRY/USD = 0.054091			
South African rand (ZAR) ZAR/USD = 0.057580			
Vietnamese dong (VND) VND/USD = 0.000040			
West African CFA franc (XOF) XOF/USD = 0.001531			
Other Fiat:			
Other Fiat:			

Crypto (Ticker / Abbreviation)	Asserted Quantity of Crypto	Loaned Quantity of Crypto	Staked Quantity of Crypto
Crypto Please list the number of tokens held			
3X Long Bitcoin Token (BULL)			
3X Long Cardano Token (ADABULL)			
3X Long Dogecoin Token (DOGEBULL)			
3X Long Ethereum Token (ETHBULL)			
3X Long XRP Token (XRPBULL)			
Aave (AAVE)			
Akropolis (AKRO)			
ApeCoin (APE)			
ATLAS (ATLAS)			
Atom (ATOM)			
Aurory (AURY)			
Avalanche (AVAX)	6		
BaoToken (BAO)			
Basic Attention Token (BAT)			
Binance Coin (BNB)			
Bitcoin (BTC)	0.00168656		
Bitcoin Cash (BCH)			
Brazilian Digital Token (BRZ)			
Celsius Token (CEL)			
ChainLink Token (LINK)			
Chiliz (CHZ)			
Compound USDT (CUSDT)			
Cope (COPE)			
Crypto.com Coin (CRO)			
Decentraland (MANA)			
Dent (DENT)			
Dogecoin (DOGE)			
Ethereum (ETH)	200		
EthereumPoW (ETHW)	200		
Fantom (FTM)			
FTX Token (FTT)	25.14890964		
Gala (GALA)			
Immutable X Token (IMX)			
Kin (KIN)			
Litecoin (LTC)			
Luna 2.0 (LUNA2)			
Luna Classic (LUNC)			

Crypto (Ticker / Abbreviation)	Asserted Quantity of Crypto	Loaned Quantity of Crypto	Staked Quantity of Crypto
<b>Crypto (continued)</b> Please list the number of tokens held			
Matic (MATIC)			
POLIS (POLIS)			
Polkadot (DOT)			
Raydium (RAY)			
Reserve Rights (RSR)			
Serum (SRM)	17.40215987		
Shiba Inu (SHIB)			
Solana (SOL)	35		
Spell Token (SPELL)			
Step Finance (STEP)			
SushiSwap (SUSHI)			
Swipe (SXP)			
Terra Classic USD (Wormhole) (USTC)			
The Graph (GRT)			
The Sandbox (SAND)			
Thorchain (RUNE)			
TON Coin (TONCOIN)			
TRON (TRX)	33691		
Uniswap Protocol Token (UNI)			
UpBots (UBXT)			
USD Coin (USDC)			
USD Tether (USDT)			
XRP (XRP)			
<b>Other Crypto not previously listed (please specify)</b>			
Coin Type: SRM_LOCKED	61.8059634		
Coin Type:			
Coin Type:			
Coin Type:			
<b>NFTs (non-fungible tokens)</b>			
NFT Description:	NFT Description:		
NFT Identifier:	NFT Identifier:		
NFT Description:	NFT Description:		
NFT Identifier:	NFT Identifier:		
NFT Description:	NFT Description:		
NFT Identifier:	NFT Identifier:		
NFT Description:	NFT Description:		
NFT Identifier:	NFT Identifier:		
NFT Description:	NFT Description:		
NFT Identifier:	NFT Identifier:		

8. Do you have Customer Claims related to any Other Trading Activity on the FTX Exchanges? Other Trading Activity would not include quantities of crypto, fiat or NFTs listed in Box 7 above.

☒ No  
☐ Yes. Please describe: \_\_\_\_\_

If yes, how much is the claim? \$ \_\_\_\_\_

Please provide any relevant supporting documentation necessary to support a claim related to any Other Trading Activity.

Please identify all relevant Debtor(s) you are asserting this claim against below, you may check more than one Debtor.

<input checked="" type="checkbox"/> FTX Trading Ltd. (d/b/a "FTX") (Case No. 22-11068)	<input type="checkbox"/> FTX EU Ltd. (f/k/a K-DNA Financial Services Ltd.) (Case No. 22-11166)	<input type="checkbox"/> FTX Japan K.K. (aka "FTX Japan") (Case No. 22-11102)	<input type="checkbox"/> Quoine Pte Ltd (d/b/a Liquid Global) (Case No. 22-11161)
<input type="checkbox"/> West Realm Shires Services (d/b/a "FTX US") Inc. (Case No. 22-11071)	<input type="checkbox"/> Alameda Aus Pty Ltd (Case No. 22-11104)	<input type="checkbox"/> Alameda Global Services Ltd. (Case No. 22-11134)	<input type="checkbox"/> Alameda Research (Bahamas) Ltd (Case No. 22-11105)
<input type="checkbox"/> Alameda Research Holdings Inc. (Case No. 22-11069)	<input type="checkbox"/> Alameda Research KK (Case No. 22-11106)	<input type="checkbox"/> Alameda Research LLC (Case No. 22-11066)	<input type="checkbox"/> Alameda Research Ltd (Case No. 22-11067)
<input type="checkbox"/> Alameda Research Pte Ltd (Case No. 22-11107)	<input type="checkbox"/> Alameda Research Yankari Ltd (Case No. 22-11108)	<input type="checkbox"/> Alameda TR Ltd (Case No. 22-11078)	<input type="checkbox"/> Alameda TR Systems S. de R. L. (Case No. 22-11109)
<input type="checkbox"/> Allston Way Ltd (Case No. 22-11079)	<input type="checkbox"/> Analisa Pte Ltd (Case No. 22-11080)	<input type="checkbox"/> Atlantis Technology Ltd. (Case No. 22-11081)	<input type="checkbox"/> Bancroft Way Ltd (Case No. 22-11082)
<input type="checkbox"/> Blockfolio, Inc. (Case No. 22-11110)	<input type="checkbox"/> Blue Ridge Ltd (Case No. 22-11083)	<input type="checkbox"/> Cardinal Ventures Ltd (Case No. 22-11084)	<input type="checkbox"/> Cedar Bay Ltd (Case No. 22-11085)
<input type="checkbox"/> Cedar Grove Technology Services, Ltd. (Case No. 22-11162)	<input type="checkbox"/> Clifton Bay Investments LLC (Case No. 22-11070)	<input type="checkbox"/> Clifton Bay Investments Ltd (Case No. 22-11111)	<input type="checkbox"/> Cottonwood Grove Ltd (Case No. 22-11112)
<input type="checkbox"/> Cottonwood Technologies Ltd (Case No. 22-11136)	<input type="checkbox"/> Crypto Bahamas LLC (Case No. 22-11113)	<input type="checkbox"/> DAAG Trading, DMCC (Case No. 22-11163)	<input type="checkbox"/> Deck Technologies Holdings LLC (Case No. 22-11138)
<input type="checkbox"/> Deck Technologies Inc. (Case No. 22-11139)	<input type="checkbox"/> Deep Creek Ltd (Case No. 22-11114)	<input type="checkbox"/> Digital Custody Inc. (Case No. 22-11115)	<input type="checkbox"/> Euclid Way Ltd (Case No. 22-11141)
<input type="checkbox"/> FTX (Gibraltar) Ltd (Case No. 22-11116)	<input type="checkbox"/> FTX Canada Inc (Case No. 22-11117)	<input type="checkbox"/> FTX Certificates GmbH (Case No. 22-11164)	<input type="checkbox"/> FTX Crypto Services Ltd. (Case No. 22-11165)
<input type="checkbox"/> FTX Digital Assets LLC (Case No. 22-11143)	<input type="checkbox"/> FTX Digital Holdings (Singapore) Pte Ltd (Case No. 22-11118)	<input type="checkbox"/> FTX EMEA Ltd. (Case No. 22-11145)	<input type="checkbox"/> FTX Equity Record Holdings Ltd (Case No. 22-11099)
<input type="checkbox"/> FTX Europe AG (Case No. 22-11075)	<input type="checkbox"/> FTX Exchange FZE (Case No. 22-11100)	<input type="checkbox"/> FTX Hong Kong Ltd (Case No. 22-11101)	<input type="checkbox"/> FTX Japan Holdings K.K. (Case No. 22-11074)
<input type="checkbox"/> FTX Japan Services KK (Case No. 22-11103)	<input type="checkbox"/> FTX Lend Inc. (Case No. 22-11167)	<input type="checkbox"/> FTX Marketplace, Inc. (Case No. 22-11168)	<input type="checkbox"/> FTX Products (Singapore) Pte Ltd (Case No. 22-11119)
<input type="checkbox"/> FTX Property Holdings Ltd (Case No. 22-11076)	<input type="checkbox"/> FTX Services Solutions Ltd. (Case No. 22-11120)	<input type="checkbox"/> FTX Structured Products AG (Case No. 22-11122)	<input type="checkbox"/> FTX Switzerland GmbH (Case No. 22-11169)
<input type="checkbox"/> FTX Trading GmbH (Case No. 22-11123)	<input type="checkbox"/> FTX US Services, Inc. (Case No. 22-11171)	<input type="checkbox"/> FTX US Trading, Inc. (Case No. 22-11149)	<input type="checkbox"/> FTX Ventures Ltd. (Case No. 22-11172)
<input type="checkbox"/> FTX Zuma Ltd (Case No. 22-11124)	<input type="checkbox"/> GG Trading Terminal Ltd (Case No. 22-11173)	<input type="checkbox"/> Global Compass Dynamics Ltd. (Case No. 22-11125)	<input type="checkbox"/> Good Luck Games, LLC (Case No. 22-11174)
<input type="checkbox"/> Goodman Investments Ltd. (Case No. 22-11126)	<input type="checkbox"/> Hannam Group Inc (Case No. 22-11175)	<input type="checkbox"/> Hawaii Digital Assets Inc. (Case No. 22-11127)	<input type="checkbox"/> Hilltop Technology Services LLC (Case No. 22-11176)
<input type="checkbox"/> Hive Empire Trading Pty Ltd (Case No. 22-11150)	<input type="checkbox"/> Innovatia Ltd (Case No. 22-11128)	<input type="checkbox"/> Island Bay Ventures Inc (Case No. 22-11129)	<input type="checkbox"/> Killamey Lake Investments Ltd (Case No. 22-11131)
<input type="checkbox"/> Ledger Holdings Inc. (Case No. 22-11073)	<input type="checkbox"/> LedgerPrime Bitcoin Yield Enhancement Fund, LLC (Case No. 22-11177)	<input type="checkbox"/> LedgerPrime Bitcoin Yield Enhancement Master Fund LP (Case No. 22-11155)	<input type="checkbox"/> LedgerPrime Digital Asset Opportunities Fund, LLC (Case No. 22-11156)
<input type="checkbox"/> LedgerPrime Digital Asset Opportunities Master Fund LP (Case No. 22-11157)	<input type="checkbox"/> LedgerPrime LLC (Case No. 22-11158)	<input type="checkbox"/> LedgerPrime Ventures, LP (Case No. 22-11159)	<input type="checkbox"/> Liquid Financial USA Inc. (Case No. 22-11151)
<input type="checkbox"/> Liquid Securities Singapore Pte Ltd (Case No. 22-11086)	<input type="checkbox"/> LiquidEX LLC (Case No. 22-11152)	<input type="checkbox"/> LT Baskets Ltd. (Case No. 22-11077)	<input type="checkbox"/> Maclaurin Investments Ltd. (Case No. 22-11087)
<input type="checkbox"/> Mangrove Cay Ltd (Case No. 22-11088)	<input type="checkbox"/> North Dimension Inc (Case No. 22-11153)	<input type="checkbox"/> North Dimension Ltd (Case No. 22-11160)	<input type="checkbox"/> North Wireless Dimension Inc. (Case No. 22-11154)
<input type="checkbox"/> Paper Bird Inc (Case No. 22-11089)	<input type="checkbox"/> Pioneer Street Inc. (Case No. 22-11090)	<input type="checkbox"/> Quoine India Pte Ltd (Case No. 22-11091)	<input type="checkbox"/> Quoine Vietnam Co. Ltd (Case No. 22-11092)
<input type="checkbox"/> Strategy Ark Collective Ltd. (Case No. 22-11094)	<input type="checkbox"/> Technology Services Bahamas Limited (Case No. 22-11095)	<input type="checkbox"/> Verdant Canyon Capital LLC (Case No. 22-11096)	<input type="checkbox"/> West Innovative Barista Ltd. (Case No. 22-11097)
<input type="checkbox"/> West Realm Shires Financial Services Inc. (Case No. 22-11072)	<input type="checkbox"/> West Realm Shires Inc. (Case No. 22-11183)	<input type="checkbox"/> Western Concord Enterprises Ltd. (Case No. 22-11098)	<input type="checkbox"/> Zubr Exchange Ltd (Case No. 22-11132)

**Part 3: Sign Below**

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

Check the appropriate box:

- ☐ I am the creditor.
- ☒ I am the creditor's attorney or authorized agent.
- ☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- ☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date \_\_\_\_\_ (mm/dd/yyyy)

Signature

**Name of the person who is completing and signing this claim:**

Name	James E. Miller, Esq.		
	First name	Middle name	Last name
Title	Attorney		
Company	Miller Shah LLP		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	65 Main Street		
	Number	Street	
	Chester	CT	06412
	City	State	ZIP Code
Contact phone	866-540-5505	Email	jemiller@millershah.com



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:  FTX TRADING, LTD.,  <div style="text-align: right;">Debtor.</div>	X : : : : : X	Chapter 11  Case No. 22-11068-JTD
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**ADDENDUM TO AMENDED PROOF OF CLAIM NO. 91933**

On or about February 25, 2024, Claim No. 91933 (the “Claim”) was filed in FTX Trading, Ltd., Case No. 22-11068. The Claim was filed by Dominic John Cubitt while Mr. Cubitt was not represented by counsel.

James E. Miller, Esquire, is counsel to ELD Capital LLC, Dominic John Cubitt, and Leona Sammon and is authorized to file this Amended Claim.

The Claim is incorporated by reference herein in its entirety and is hereby amended as follows:

1. The Claim is amended to reflect that the correct holder of the Claim is ELD Capital LLC.
2. The Claim is amended to reflect that notices with respect to the Claim and payments to the creditor should be sent to the address set forth in Part 1, Section 3 of the Amended Customer Proof of Claim Form.

3. The Claim is amended to specifically reflect that the Claimant contests certain exchange transactions induced by the Debtors' fraud that caused the value of assets in the Claimant's customer account to be reduced as of the Petition Date.<sup>1</sup>

4. The transactions contested by the Claimant were induced by the Debtors' fraudulent misrepresentations and concealment on November 10, 2022, the day before the Petition Date, at a time when the Debtors knew of the forthcoming bankruptcy filing and *after* the Securities Commission of the Bahamas had frozen the assets of certain Debtors, suspended the registration of FTX Digital Markets Ltd., and applied to the Supreme Court of The Bahamas for the appointment of a provisional liquidator of FTX Digital Markets Ltd.

5. Specifically, on November 10, 2022, FTX publicly announced that it had reached an agreement with TRON, another cryptocurrency platform, to allow holders of TRON-sponsored cryptocurrencies (*i.e.*, tokens) on the FTX platform to move such assets to external wallets on a 1:1 basis:

FTX Announcement Regarding the Tron Credit Facility:

We are pleased to announce that we have reached an agreement with Tron to establish a special facility to allow holders of TRX, BTT, JST, SUN, and HT to swap assets from FTX 1:1 to external wallets.

This functionality will be enabled at 18:30 UTC, November 10, 2022.

The exact capability of the Tron Token facility will be determined weekly and future injections will occur at 14:00 UTC. The amount to deposited will depend on a number of factors such as withdrawal demand and funding capacity to be provided by Tron. By providing a set schedule of the amount of tokens to be introduced into the market and the corresponding time, our goal is to provide more clarity to the market allowing users to make better informed decisions.

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<sup>1</sup>“Petition Date” shall have the same meaning as in the Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and its Debtor Affiliates (Doc. 15520) and the Customer Proof of Claim Form.

As part of this agreement, we will be disabling Tron deposits for all users during this period. The only deposits will be the pre-announced deposits conducted weekly by the Tron Team. Initially, \$13,000,000 of assets will be deployed to facilitate such swaps.

Information on future capital injections will be shared on a weekly basis.

We sincerely appreciate your patience and support of FTX during this period! And we hope to have more information to share in the near future. We are also very grateful to the Tron team for stepping up to assist us in these hard times and provide support for the wider crypto industry.

Please note, these markets (TRX, BTT, JST, SUN, and HT) may experience high levels of volatility. Please ensure you understand the details of this arrangement and associated risks before taking any actions. If you have any questions, don't hesitate to reach out through support channels or our official telegram channel: [link embedded].

6. On this date and until the time of FTX's bankruptcy filing, the prices of TRON-sponsored tokens on the FTX platform were dramatically higher than that of those same tokens on other exchanges. Therefore, if an FTX customer converted other assets to TRON-sponsored tokens to move its assets off the FTX platform to an external wallet, it would need to accept an enormous "liquidity" discount.

7. Given the substantial and well-publicized concerns about the Debtors' ability to operate as a going concern and satisfy the withdrawal demands of its customers, as well as the specific representations made by the Debtors, the Claimant made the difficult decision to engage in exchange transactions to convert holdings in cryptocurrencies and fiat currency in its account into TRON-sponsored tokens. The Claimant's transactions made in anticipation of the TRON credit facility were effectuated on November 11, 2022—the Petition Date. Prior to these transactions made in anticipation of the facility promised by FTX, the value of assets in the Claimant's account was approximately \$569,262.34 in USD, including over \$308,000.00 in USD itself held in trust by FTX. After these transactions were effectuated, the value of assets in the

Claimant's account was approximately \$99,188.75 in USD. These transactions were specifically induced by the Debtors' public representations and false promises.

8. When the Claimant attempted to move its TRON-sponsored tokens to external wallets pursuant to the Debtors' representations, it was prevented from doing so, as the facility was not made available to the Claimant. At the same time, a message displayed on the FTX platform that "[d]eposits of TRX, BTT, JST, SUN, and HT [were] disabled." Shortly thereafter, the Debtors filed for bankruptcy.

9. The Debtors are liable to the Claimant for fraud. To establish fraud, a plaintiff must show that: (1) the defendant made a false representation; (2) the defendant knew or believed the representation was false, or made it with reckless indifference to the truth; (3) the defendant's false representation was intended to induce the plaintiff to act or refrain from acting; (4) the plaintiff's action or inaction was taken in justifiable reliance upon the representation; and (5) the plaintiff was damaged by such reliance. *See Stephenson v. Capano Dev., Inc.*, 462 A.2d 1069, 1074 (Del. 1983). Fraud may occur through misrepresentation or by concealment. *See id.* Here, the Debtors misrepresented that the Claimant would be able to avail itself the facility to move its assets off the FTX platform to an external wallet if it converted its assets to TRON-sponsored tokens. In addition, the Debtors concealed its imminent bankruptcy filing at the time it made the exchange offer. At the time of the Debtors' misrepresentations and concealment, the Debtors were aware that the Claimant would not be able to avail itself of the facility to move its assets to an external wallet *and* that they would imminently be making their bankruptcy filing. The Debtors' misrepresentations and concealment were intended to induce the Claimant's exchange transactions of cryptocurrencies and fiat currency into TRON-sponsored tokens. The Claimant justifiably relied on the Debtors' misrepresentations and concealment in determining to make the exchange

transactions given the means and manner in which the exchange offer was made (*i.e.*, on FTX’s business website and official social media channels, with a specific indication of TRON-sponsored tokens included in the offer, and FTX’s representations that TRON would be participating in the facility and that future capital injections to support the credit facility would be “shared on a weekly basis”). As a direct result of the Claimant’s exchange transactions made in reliance on the Debtors’ misrepresentations and concealment, the Claimant was damaged at least to the extent of the reduction in value of the assets in the Claimant’s customer account as of the Petition Date.

10. According to the Debtor’s records, when the valuation of customer accounts was fixed for purposes of determining customer claims, the value of assets in the Claimant’s account was approximately \$98,943.38 in USD.

11. The transactions described in paragraphs 4 through 8 above were induced by the fraud of one or more of the Debtors. The Claim is hereby amended to clarify that it consists of two components, totaling \$569,262.34: (a) \$98,943.38, representing the value of assets in the Claimant’s account as of the Petition Date, plus (b) \$470,318.96 in damages directly arising from the fraud of the Debtors with respect to the transactions described herein.

Dated: July 2, 2024

MILLER SHAH LLP

*/s/ James E. Miller*

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James E. Miller, Esquire  
 Alec J. Berin, Esquire  
 1845 Walnut Street  
 Philadelphia, PA 19103  
 Phone: (866) 540-5505  
 Email: jemiller@millershah.com  
 ajberin@millershah.com

*Counsel for ELD Capital LLC,  
 Dominic John Cubitt, and Leona Sammon*

**Original Proof of Claim**

## Customer Claim Form

## FTX Details

FTX Email

FTX AccountID

Scheduled ID

FTX Debtor

eld.capital@protonmail.ch

8212705

221106806816837

## Scheduled Claim Information

You have been redirected from FTX website. Please check your scheduled information below.

If you do NOT agree with any of 1) the amount or quantity of fiat, coins or NFT; 2) the FTX Exchange against whom the Customer Claim is asserted; or 3) the type or nature of the Customer Claim set forth below, assert the quantity of fiat or coins you held as of the date the case was filed in the rightmost column of the below charts.

You will also have an opportunity to add any NFTs not listed. Only complete this section where you DISAGREE with the component of your Scheduled Customer Claim. You will also have an opportunity to assert a Customer Claim arising out of or related to any other investment or trading activity.

## Schedule

F-2

## Non-Scheduled, Contingent, Unliquidated or Disputed Status

Contingent

Debtor FTX Trading Ltd. has listed your claim on Schedule E/F, Part 2 as an Contingent General Unsecured claim in an Undetermined amount. You must timely file a proof of claim or be forever barred from recovery.

**Provide Information About the Customer Claim as of the Date the Case was Filed (as of November 11, 2022). Please identify the FTX Exchange with respect to where the below cryptocurrency and fiat in Question 7 is held. If you have accounts at more than one FTX Exchange, please file one proof of claim per FTX Exchange. Each such Customer Entitlement Claim pursuant to Question 7 below shall be deemed to have been filed as an identical Customer Entitlement Claim in the same amount against all other Debtors. Accordingly, you do not need to file separate proofs of claim against each Debtor for your Customer Entitlement Claim (Question 7). Please see Question 8 for additional instructions for asserting claims related to Other Activity.**

- ☒ FTX Trading Ltd. (d/b/a "FTX") (Case No. 22-11068)
- ☐ FTX EU Ltd. (f/k/a K-DNA Financial Services Ltd. d/b/a "FTX EU") (Case No. 22-11166)
- ☐ FTX Japan K.K. (aka "FTX Japan") (Case No. 22-11102)
- ☐ Quoine Pte Ltd (d/b/a Liquid Global) (Case No. 22-11161)
- ☐ West Realm Shires Services Inc. (d/b/a "FTX US") (Case No. 22-11071)

**List the quantity of each type of cryptocurrency ("Crypto") or fiat currency ("Fiat") held in your account(s) as of November 11, 2022. List any Non-Fungible Tokens ("NFTs") held in your account (s) along with the unique identification code.**

- Note that the "USD Rate" is the ratio of the Local Currency to U.S. Dollars.
- If your Crypto or Fiat were part of the peer-to-peer ("P2P") margin lending program, please populate the Loaned Quantity column.

## Fiat

## ASSERTED QUANTITY FIAT

Fiat (Ticker / Abbreviation)	Total Scheduled Quantity of Fiat (Local Currency)	Do you agree with the Scheduled Quantity?	If you do not agree, Please provide the Asserted Quantity of Fiat here (Local Currency)
USD	0.753047596050234	<input checked="" type="radio"/> No <input type="radio"/> Yes	308,801.011600000

Do you want to add any other fiat not previously listed?

- ☒ No  
☐ Yes

## Loaned Fiat

### LOANED QUANTITY FIAT

Do you want to add any other fiat not previously listed?

- ☒ No  
☐ Yes

## Asserted Crypto

### Asserted Quantity of Crypto Tokens

Crypto (Ticker / Abbreviation)	Scheduled Quantity of Crypto	Do you agree with the Scheduled Quantity?	If you do not agree, Please provide the Asserted Quantity of Crypto here.
ETH	0.0000008558645537	<input checked="" type="radio"/> No <input type="radio"/> Yes	200.000000000
ETHW	0.0000008558645537	<input checked="" type="radio"/> No <input type="radio"/> Yes	200.000000000
BTC-20210326	0.000000000	<input type="radio"/> No <input checked="" type="radio"/> Yes	
ADABULL	0.000000006	<input type="radio"/> No <input checked="" type="radio"/> Yes	
BTC	0.000000476530826	<input checked="" type="radio"/> No <input type="radio"/> Yes	0.001686560
BTC-20210625	0.000000000	<input type="radio"/> No <input checked="" type="radio"/> Yes	
ETH-20210625	0.000000000	<input type="radio"/> No <input checked="" type="radio"/> Yes	
EOS-PERP	0.000000000	<input type="radio"/> No <input checked="" type="radio"/> Yes	
ETH-20211231	0.000000000	<input type="radio"/> No <input checked="" type="radio"/> Yes	
FTT	25.0000000054652	<input checked="" type="radio"/> No <input type="radio"/> Yes	25.148909640
ETH-1230	0.000000000	<input type="radio"/> No <input checked="" type="radio"/> Yes	
SOL	0.0000000003213601	<input checked="" type="radio"/> No <input type="radio"/> Yes	35.000000000



SRM	17.442053540	<input type="radio"/> No <input checked="" type="radio"/> Yes	
SRM_LOCKED	61.805963400	<input type="radio"/> No <input checked="" type="radio"/> Yes	
SUN	42,021.517000000	<input checked="" type="radio"/> No <input type="radio"/> Yes	0.000000000
TRX	1,774,949.000000000	<input checked="" type="radio"/> No <input type="radio"/> Yes	33,691.000000000

**Do you want to add any coin not previously listed?**

- ☐ No  
☒ Yes

Other Crypto not previously listed (please specify)	Please provide the Asserted Quantity of Crypto here.
AVAX	6.000000000

## Loaned Crypto

### Loaned Quantity of Crypto

**Do you want to add any coin not previously listed?**

- ☒ No  
☐ Yes

## NFTs

### NFTs (non-fungible tokens)

**Do you want to add any NFTs not previously listed?**

- ☒ No  
☐ Yes

## Customer Claims related to any Other Activity on the FTX Exchanges

**Do you have Customer Claims related to any Other Activity on the FTX Exchanges? Other Activity would not include quantities of crypto, fiat or NFTs listed in Box 7 above.**

- ☒ No  
☐ Yes

## File a Proof of Claim

To file a proof of claim electronically, please enter the creditor's name and an email address (where filing confirmation will be sent) in the fields below.

Creditor Name

Dominic Cubitt

Email Address

[dominic.cubitt@algoplatform.com](mailto:dominic.cubitt@algoplatform.com)

## EPOC Agreement

The information requested on the proof of claim form is being collected for the purposes of facilitating a voluntary petition for relief under the Bankruptcy Code and processing any claim you may have against the Debtors.

**YOUR PROOF OF CLAIM FORM MUST NOT CONTAIN ANY OF THE FOLLOWING:** (i) medical records, (ii) complete social security numbers or tax identification numbers, (iii) a complete birth date, (iv) the name of a minor or (v) a financial account number. The information requested on the proof of claim form is being collected for the purposes of facilitating a debtor's voluntary petition for relief under the U.S. Bankruptcy Code and processing any claim you may have against such debtor. When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services to avoid the disclosure of confidential health care information.

**SOME OR ALL OF THE INFORMATION YOU PROVIDE ON THE PROOF OF CLAIM FORM WILL BE PUBLICLY DISPLAYED AND/OR ACCESSIBLE ON THE DEBTOR'S CASE WEBSITE HOSTED BY KROLL RESTRUCTURING ADMINISTRATION (FORMERLY KNOWN AS PRIME CLERK) PURSUANT TO APPLICABLE LAW AND/OR COURT ORDER.** Additionally, such information may be shared with certain third parties affiliated with this matter in furtherance of the bankruptcy case and process. Although you may have certain rights relating to the information provided on the proof of claim form under certain laws, applicable law or court order may prohibit the amendment or erasure of such information once it is submitted, including information displayed and/or accessible at the case website.

**PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM.**

**ALL DOCUMENTS SUBMITTED, INCLUDING ANY MEDICAL RECORDS, WILL BE MADE PUBLICLY AVAILABLE ON THE DEBTOR'S CASE WEBSITE AND/OR THE BANKRUPTCY COURT'S CLAIMS REGISTER.**

The information you provide on the proof of claim form will be retained by or on behalf of the Bankruptcy Court, the debtor and Kroll Restructuring Administration for as long as necessary for the purposes described above, as needed to resolve disputes or protect legal rights as they relate to such claim, or as otherwise required by law. Some or all of the information you provide on the proof of claim form will be displayed and/or accessible on the debtor's case website hosted by Kroll Restructuring Administration pursuant to applicable law and/or court order. Additionally, such information may be shared with certain third parties affiliated with this matter in furtherance of the bankruptcy case and process. Although you may have certain rights relating to the information provided on the proof of claim form under certain laws, applicable law or court order may prohibit the amendment or erasure of such information once it is submitted, including information displayed and/or accessible at the case website.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Kroll Restructuring Administration and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Kroll Restructuring Administration and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Kroll Restructuring Administration or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Kroll Restructuring Administration and the Clerk of the Court are authorized but not obligated, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

### Submission of Claim Data

By using this Site and loading any information to the Site, you agree to release us from any claim or liability with respect to the public display of personal or private information, including but not limited to the types of information listed above.

Claims and creditor information ("Claim Data") must be submitted by a human being and not a script, program, or other method that may be construed as a "bot." Claim Data must be submitted by the creditor or someone authorized to submit such Claim Data on behalf of the creditor. Claim Data must be correct to the best of the creditor's/submitter's knowledge. Filing Claim Data on this Site grants no guarantee of payment.

You represent and warrant that Claim Data submitted by you:

- shall be true, accurate, and complete;
- shall not contain any personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) or other sensitive or potentially embarrassing information, including health care information;
- shall not violate the rights of any third party, including, but not limited to, other proprietary and/or intellectual property rights, or rights of publicity or privacy; shall not violate any law; shall not contain any viruses, Trojan horses, worms, time bombs, bots, or other computer programming routines that are intended to damage, interfere with, or expropriate any system or information; and
- shall not create liability for us or interfere with the operation of the Site.

All information, including information relating to your Claim Data, that is filed electronically, including through this Site, is subject to the same conditions and restrictions as paper based proofs of claim filed with a Bankruptcy Court and are subject to court orders, rules, procedures and applicable law relating to the bankruptcy case in which Claims Data are filed.

#### Not Legal Advice

WE CANNOT PROVIDE ANY LEGAL ADVICE REGARDING CLAIM DATA OR ON ANY OTHER TOPIC. IF YOU REQUIRE ADVICE REGARDING YOUR RIGHTS OR ANY BANKRUPTCY CASE YOU MAY WISH TO SEEK LEGAL COUNSEL FROM A LICENSED ATTORNEY. USERS OF THIS SITE SHOULD NOT TAKE OR REFRAIN FROM TAKING ANY ACTION BASED UPON CONTENT INCLUDED IN THE SITE. KROLL RESTRUCTURING ADMINISTRATION IS NOT IN THE BUSINESS OF PROVIDING PROFESSIONAL OR LEGAL ADVICE AND INFORMATION CONTAINED ON THIS SITE SHOULD NOT BE RELIED ON AS A SUBSTITUTE FOR FINANCIAL, LEGAL OR OTHER PROFESSIONAL ADVICE. ANY RELIANCE ON THE INFORMATION CONTAINED ON THIS SITE IS SOLELY AT YOUR RISK.

#### Electronic Signatures

When you submit Claim Data or other information to us, you may be asked to electronically "sign" a form that will set forth certain terms and conditions related to such submission. You hereby agree that your electronic signature in respect of any such submission complies with the U.S. federal E-SIGN Act of 2000, and accordingly shall have the same legal effect as your original signature.

For our Terms of Use please click [Terms of Use](#).

#### Filing Fraudulent Claims

FILING A FRAUDULENT CLAIM IS PUNISHABLE BY A FINE UP TO \$500,000 AND/OR IMPRISONMENT FOR UP TO 5 YEARS (18 U.S.C. 152, 157, AND 3571).

**BY SELECTING "I AGREE", YOU CONSENT TO ALL INFORMATION SUBMITTED BEING PUBLICLY DISPLAYED AND/OR ACCESSIBLE ON THE CASE WEBSITE AND THE BANKRUPTCY COURT'S CLAIMS REGISTER.**

**By selecting I agree below, I confirm that I have read, understand and agree to be bound by the foregoing as well as the Terms of Use.**

- ☒ I Agree  
☐ Reject

## Instructions

### Claim Information

#### 1. Who is the current Creditor?

Name of the current creditor (the person or entity to be paid for this claim)

Is the current Creditor an Individual?

- ☐ No  
☒ Yes

First Name

Dominic

Middle Name

John

Last Name

Cubitt

Other names the creditor used with the debtor (if any)

Do you know the creditor's FTX customer main account number?

- ☐ No  
☒ Yes

FTX customer main account number:

00428593

Do you know the creditor's FTX customer email address that was used at sign up?

- ☐ No  
☒ Yes

FTX customer email address used at account sign up:

[eld.capital@protonmail.ch](mailto:eld.capital@protonmail.ch)**2. Has this claim been acquired from someone else?**

- ☒ No  
☐ Yes

**3. Where should notices and payments to the creditor be sent?**

[Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)]

Name:

Dominic John Cubitt

Address 1 (Street address, "Care of:", or "Attention To:"):

Calle Oceania 11

Address 2:

Address 3:

Address 4:

City:

Cobena

State or Province (use 2-letter abbreviation if US or Canada):

Madrid

Zip Code | Postal Code:

28863

**Is the creditor address outside of the US?**

- ☐ No  
☒ Yes

Country (if outside of the US):

Spain

Contact phone:

+44 7974428827

Contact email:

[dominic.cubitt@algoplatform.com](mailto:dominic.cubitt@algoplatform.com)

Should payments go to a different address?

- ☒ No  
☐ Yes

**Would you like to add any additional addresses for receiving notices about this proof of claim?**

- ☒ No  
☐ Yes

**4. Does this claim amend one already filed?**

- ☐ No  
☒ Yes

Claim number on court claims registry (if known)

Filed on:

10/20/2023

10/20/2023

**5. Do you know if anyone else has filed a proof of claim for this claim?**

- ☒ No  
☐ Yes

**Additional Claim Information****6. Did you participate in the FTX Earn program (available via Blockfolio app) as of November 11, 2022?**

- ☒ No  
☐ Yes

**7. Please refer to the 'Scheduled Claim Information' section above for information on question 7.****8. Do you have Customer Claims related to any Other Activity on the FTX Exchanges? Other Activity would not include quantities of crypto, fiat or NFTs listed in Box 7 above.**

- ☒ No  
☐ Yes

## E-Sign

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

Check the appropriate box:

- ☒ I am the creditor.
- ☐ I am the creditor's attorney or authorized agent.
- ☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- ☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date (Calculated in UTC)

02/25/2024

**Name of the person who is completing and signing this claim:**

First Name/Middle Name/Last Name:

Dominic John Cubitt

E-Signature:

Dominic John Cubitt

I certify that I have completed my Proof of Claim form on the Kroll Restructuring Administration Portal. I hereby agree that my electronic signature herein complies with the ESIGN Act, and accordingly shall have the same legal effect as my original signature.

☒ I agree

Title/Company:

Address 1:

Calle Oceania 11

Address 2:

City:

Cobena

State or Province (use 2-letter abbreviation if US or Canada):

Madrid

Zip Code | Postal Code:

28863

Is this address outside of the US?

- ☐ No  
☒ Yes

Country (if outside of the US):

Spain

Contact phone:

+44 7974428827

Contact email:

[dominic.cubitt@algoplatform.com](mailto:dominic.cubitt@algoplatform.com)

## Attachments

**Attach Support Documentation (limited to a single PDF attachment that is less than 5 megabytes in size):**

- ☒ I have supporting documentation  
☐ I do not have supporting documentation

**Attach a single PDF attachment that is less than 5 megabytes in size**

 TradesAsOf11th.pdf

290 KB

**File Name**

[TradesAsOf11th.pdf](#)

## Submission Information

When you press "Submit" you will receive an email from "noreply.efiling@ra.kroll.com." Please add this email to your allowed senders list. This email will have a PDF copy of your claim filing (with your supporting documents as a separate attachment), as well as an identification number confirming receipt of your claim ("Confirmation ID").

## Confirmation of Submission

**Your Form has been successfully submitted...**

DOCUMENT ID

3c49423d7a4d079a5b994947e176061357764340

Submitted Date Time

2024-02-25T12:12:18.704Z

Status

Submitted

CONFIRMATION ID

3265-70-TDKHO-541314508